



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

December 20, 2011

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

40 December 20, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**AWARD OF A PUBLIC WORKS CONSTRUCTION CONTRACT
PATHFINDER ROAD – FROM 1,300 FEET EAST OF FULLERTON ROAD
TO ALEXDALE LANE
IN THE UNINCORPORATED COMMUNITY OF ROWLAND HEIGHTS
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

SUBJECT

This action is to award a public works construction contract for Pathfinder Road and authorize the Director of Public Works or her designee to execute a contract for work in the unincorporated community of Rowland Heights.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find the apparent lowest bid submitted by Bannaoun Engineers Constructors nonresponsive for failure to meet the requirements for demonstrating a good faith effort to subcontract with Underutilized Disadvantaged Business Enterprises.
2. Award and authorize the Director of Public Works or her designee to prepare the construction contract in the form previously approved by County Counsel, execute the contract, and establish the effective date following receipt of approved Faithful Performance and Labor and Material Bonds and insurance filed by the contractor for Project ID No. RDC0015342 – Pathfinder Road – 1,300 Feet east of Fullerton Road to Alexdale Lane, to reconstruct and resurface roadway pavement; reconstruct curb and gutter, curb ramps and sidewalk; install and modify traffic signals; and install striping and pavement markings, in the unincorporated community of Rowland Heights, to All

American Asphalt, in the amount of \$1,220,670.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval from your Board to award this construction contract and authorize the Director of Public Works (Director) or her designee to execute the contract and establish the effective contract date following receipt of approved Faithful Performance and Labor and Material Bonds and insurance filed by the contractor for this project.

On August 16, 2011, Agenda Item 29, your Board approved the project, adopted the plans and specifications, called for bids to be received on September 13, 2011, and instructed the Executive Officer of the Board of Supervisors to advertise the project.

The enclosure includes the project description, call for bids and bid opening date, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposal for the project are also enclosed.

The recommended construction contract is necessary to execute a Board-directed and approved Department of Public Works (Public Works) project in support of operational missions. Your Board's approval of the recommended contract award and the subsequent execution of the contract will ensure the timely completion of the project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). Awarding this contract will provide improved infrastructure to better serve the public and will enhance the quality of life in the affected community.

FISCAL IMPACT/FINANCING

This action will have no impact to the County General Fund.

The construction cost of \$1,220,670 is included in the Fourth Supervisorial District's Road Construction Program in the Fiscal Year 2011-12 Road Fund Budget.

The enclosure includes the amount of the recommended contract as compared with the engineer's estimate, the other bids received, and more detailed fiscal and financial information.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract agreements will be in the form previously reviewed and approved as to form by County Counsel. The recommended contract was solicited on an open-competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in compliance with the Chief Executive Officer's and your Board's requirements.

The award of this contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. This contract contains terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County of Los Angeles' (County) Greater Avenues for Independence and General Relief

Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; Local Business Enterprise Preference Program, Los Angeles County Code, Chapter 2.2.04; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by each respective contractor was considered before making this recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

On August 16, 2011, Agenda Item 29, you Board found this project to be categorically exempt from the provisions of the California Environmental Quality Act.

CONTRACTING PROCESS

The contract was solicited on an open-competitive basis in accordance with the provisions of the State Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

To further increase contractor awareness of contracting opportunities with Public Works, this project was listed on the County website for upcoming bids.

Public Works will review and approve the Faithful Performance and payment bonds filed by the

contractor.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This construction contract will result in improved public works infrastructure in the community where the work is scheduled.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTS:lg

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)

AWARD OF CONTRACT
December 20, 2011

PROJECT ID NO. RDC0015342 – Pathfinder Road – 1,300 Feet east of Fullerton Road to Alexdale Lane, (in the unincorporated community of Rowland Heights), Supervisorial District 4

TYPE OF WORK: Reconstruction and resurfacing of roadway pavement; reconstruction of curb and gutter, curb ramps, and sidewalk; installation and modification of traffic signals; installation of striping and pavement markings; and the performance of other appurtenance work.

CALL FOR BIDS DATE: August 16, 2011 (Agenda Item 29)

BID OPENING DATE: September 13, 2011

BID SUMMARY:

Low	All American Asphalt P.O. Box 2229 Corona, California 92879 (951) 736-7600	\$1,220,670.00
2	R.J. Noble Company	\$1,234,402.20
3	Building Consulting Engineers, Inc.	\$1,261,860.50
4	Harper & Harper, Inc.	\$1,262,000.00
5	Excel Paving Company	\$1,314,332.20
6	Sully-Miller Contracting Company	\$1,316,784.30
7	Gentry Brothers, Inc.	\$1,348,640.40
8	Sequel Contractors, Inc.	\$1,366,877.40

Bannaoun Engineers Constructors submitted a bid for \$1,220,047.60. However, their bid did not meet the required Underutilized Disadvantage Business Enterprise (UDBE) participation goal of 10 percent. Also, they did not provide sufficient documentation to substantiate a bonafide good faith effort to meet the goal. Therefore, we have found this bid to be nonresponsive. Also, Sylvia Construction submitted a bid with an arithmetical error that made its actual proposed bid amount \$37,419,138.50. Due to this error we have found this bid to be nonresponsive.

FINANCIAL INFORMATION:

Amount of estimate	\$1,432,366.00
Amount of recommended contract	\$1,220,670.00
Amount of recommended contract below estimate	\$ 211,696.00

The amount of the recommended contract is 15 percent below the estimate.

The project will also be administered under the Federal Surface Transportation Program (STP) covered by Agreement No. 76078 with the State of California. Funding for this project is included in the Fourth Supervisorial District's Road Construction Program in the Fiscal Year 2011-12 Road Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

All American Asphalt has one UDBE subcontractor/supplier under this contract, yielding a UDBE utilization of 10 percent.

ENVIRONMENTAL IMPACT:

On August 16, 2011, Agenda Item 29, your Board found this project categorically exempt.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 80 working days. It is estimated that the work will start in March 2012 and be completed in July 2012.

JRP:lg